

8 IDSW/refs 8mw 9-27-02

PATENT Attorney Docket No. 355-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Timothy Fries, et al.)
Serial No.: 09/844,830) Group Art Unit: 2872
Filed: April 27, 2001) Examiner: Unassigned
For: METHOD AND SYSTEM FOR PROVIDING DISPERSION AND DISPERSION SLOPE COMPENSATION	RECEIVED
Assistant Commissioner for Patents Washington, D.C. 20231	SEP 2 4 2002 Technology Center 2600

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)(1)

Pursuant to 37 C.F.R. §§ 1.97 and 198, Applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1) and is accompanied by the Certification fee of \$180.00. Applicant respectfully petitions and requests that the Examiner consider the listed documents and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability

of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Please charge Deposit Account 50-0308 in the amount required by 37 C.R.F. § 1.17(p) for amount of \$180.00. If there are any addition fee(s) due in connection with the filing of this Statement, please charge the fee(s) to our Deposit Account No. 50-0308

By:

Respectfully submitted,

Date: September 16, 2002

1 ~ ;

Michael R. Cammarata

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09-17-02

A63 PATENT

Attorney Docket No. 355-A

Group Art Unit: 2633

Examiner: Agustin Bello

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 09/844,830

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TRANSMITTAL LETTER

Applicants enclose the following document in the above-referenced patent application:

- 1. Reply Under 37 C.F.R. § 1.111;
- Information Disclosure Statement (including Authorization to Charge \$180.00 to Deposit Account);
- 3. Form 1449 (including copy of citied documents);

If there are any other fees, including any deficiencies, due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0308.

By:

Respectfully submitted

Dated: September 16, 2002

Michael R. Cammarata

Reg. No. 39,491

CIENA Corporation 1201 Winterson Road Linthicum, MD 21090 (410) 865-8500 (410) 865-8001 (fax)

Certification Under 37 C.F.R. Section 1.10

I hereby certify that the Petition and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this 16th day of September 2002 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV135777610US addressed to Commissioner of Patents and Trademarks, Washington, D.C. 2023 1

(type or print name of person mailing paper)

(signature of person mailing paper)